—:: कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.) ::—

पृष्ठां.क्रं0 4359 /एक–6–2/11 उज्जैन, दिनांक अप्रैल 2025

30 APR 2025

प्रतिलिपि :–

1. .....

(समस्त न्यायिक अधिकारीगण जिला उज्जैन)

माननीय उच्च न्यायालय मध्यप्रदेश, जबलपुर का ज्ञापन क्रं. सी/2936 दिनांक 21.04.2025 की प्रति मय संलग्न माननीय उच्चतम न्यायालय द्वारा SLP (Cri) No. 1400/2025 titled as Munnesh Vs State of Uttar Pradesh में पारित आदेश दिनांक 03.04.2025 की प्रति सूचनार्थ, पालनार्थ प्रेषित।

संलग्न : उपरोक्तानुसार

30/4/25

प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म.प्र.)

HIGH COURT OF MADHYA PRADESH: JABALPUR

No. C/2956...../III-1-5/57 Ch.-10 Jabalpur, dated 21/04/2025

To,

The Principal District and Sessions Judge(s),
All in the State (M.P.)

Subject:- Regarding compliance of orders of Hon'ble Supreme Court dated 03.04.2025 in the matter of SLP (Crl.) No. 1400/2025 titled as Munnesh Vs. State of Uttar Pradesh.

SW
21.4.25

Sir/Madam,

Please find enclosed herewith a copy of the Order passed by Honourable Supreme Court dated 03.04.2025 in SLP (Crl.) No. 1400/2025 titled as *Munnesh Vs. State of Uttar Pradesh.*

In light of the direction issued by Hon'ble Supreme Court vide order dated 03/04/2025 passed in SLP (Crl.) No. 1400/2025 (Munnesh Vs.State of Madhya Pradesh), Hon'ble the Chief Justice has been pleased to direct each individual to disclose his/her antecedents/involvement in criminal case(s), while seeking personal liberty by way of bail including anticipatory bail/ default bail/ interim bail/ temporary bail/ suspension of sentence/ criminal appeal u/S 14 of The Scheduled Castes & the Scheduled Tribes (Prevention of Atrocities) Act, 1989 etc. or by way of any other appropriate legal remedy for seeking personal liberty under the relevant provisions of law, in all such applications for grant of bail to be filed before the Sessions Courts in the District Judiciary in the State of Madhya Pradesh.

21 APR 2025

5847

The requisite information be disclosed positively in following tabular form in all such applications for grant of bail to be filed before the Sessions Courts in the District Judiciary in the State of Madhya Pradesh w.e.f. 01/05/2025:-

Antecedents/ Involvement in Criminal Case(s)

S. No.	F.I.R. No.	Sections	Police Station	District

As directed, I request you to bring the same into the knowledge of all the Judicial Officers under your kind control for information, compliance and necessary action.

Encl:- As above.

Rawat 21.4.25

MUKESH RAWAT
REGISTRAR District Establishment

Endt. No. C/24957 Jabalpur, dated 21/04/2025
III-1-5/57 Ch.-10

Copy forwarded to:-

1. Member Secretary, SCMS for information and appropriate action.
2. Registrar (IT) to ensure that the entries of the above matters be maintained in the High Court of Madhya Pradesh Main Seat at Jabalpur and its Benches at Indore and Gwalior and also in the District Judiciary in the State of Madhya Pradesh as the same might assist the Courts to reach to an early conclusion as to allowing/disallowing the bail petitions.

Rawat 21.4.25

MUKESH RAWAT
REGISTRAR District Establishment

ITEM NO.5 COURT NO.14 SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 1400/2025

[Arising out of impugned final judgment and order dated 03-10-2023 in CRMBA No. 38065/2023 passed by the High Court of Judicature at Allahabad]

MUNNESH Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH Respondent(s)

IA No. 21055/2025 - EXEMPTION FROM FILING O.T.

Date : 03-04-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :Mr. Ayush Negi, AOR
Ms. Vishakha Upadhyaya, Adv.
Ms. Aarushi Gupta, Adv.

For Respondent(s) : Mr. Sarvesh Singh Baghel, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The High Court of Judicature at Allahabad by the impugned judgment and order dated 3rd October, 2023 has rejected the petitioner's prayer for bail.

2. The petitioner was arrested on 26th May, 2018 in connection with a First Information Report[1] registered under Section 302, Indian Penal Code, 1860[2].

3. The trial is in progress.

4. Although it is revealed from the charge-sheet that the prosecution intended to examine 22 (twenty-two) witnesses to drive home the charges against the petitioner, in paragraph 13 of the counter affidavit, there is a

[1] FIR
[2] IPC

statement that the prosecution does not wish to examine all 22 (twenty-two) witnesses, earlier proposed, and that the number of prosecution witnesses to be examined is limited to 8 (eight) now; also that, recording of the statement of P.W.8 is now in progress.

5. The petitioner's criminal history has also been brought on record by such counter affidavit. The details of the cases pending/closed against the petitioner, 8 (eight) in all, are provided in paragraph 15 of such affidavit.

6. There is no disclosure in the special leave petition as regards the petitioner's criminal antecedents, which includes conviction in one case under Sections 379 and 411 of the IPC.

7. We enquired from the learned counsel for the petitioner as to why there is no disclosure in the special leave petition about the petitioner's criminal history. He submits that the pairokar of the petitioner did not provide complete information.

8. Had the petitioner's criminal history been disclosed in the special leave petition, we wonder whether notice on it would have at all been issued.

9. Be that as it may, since the petitioner has suppressed material facts with regard to his involvement in criminal cases, he is not entitled to the discretionary relief of bail. Even otherwise, the trial has progressed reasonably and hence, no case for releasing the petitioner on bail has been set up.

10. The special leave petition, accordingly, stands dismissed.

11. However, before parting, we consider it necessary to dwell on one aspect. A growing trend is being noticed of individuals, seeking from this Court the concession of bail or concession of protection from arrest, not disclosing in the special leave petitions their involvement in other criminal cases. In such cases where involvement is not disclosed, on a *prima facie* satisfaction that long

incarceration without reasonable progress in the trial is invading the right to life of the accused or that the offences for which the FIR has been registered are not too serious, notices are issued and only thereafter, information of criminal antecedents is being provided in the counter affidavits filed by the respective respondents-States, as in the present case. The result is that this Court, being the apex court of the country, is being taken for a ride. This Court has shown leniency in the past but we think it is time that such state of affairs is not allowed to continue further.

12. We, accordingly, direct that henceforth each individual who approaches this Court with a Special Leave Petition (Criminal) challenging orders passed by the high courts/sessions courts declining prayers under Sections 438/439 of the Code of Criminal Procedure, 1973 or under Sections 482/483, Bharatiya Nagrik Suraksha Sanhita shall mandatorily disclose in the 'SYNOPSIS' that either he is a man of clean antecedents or if he has knowledge of his involvement in any criminal case, he shall clearly indicate the same together with the stage that the proceedings, arising out of such case, have reached. Should the disclosure be found to be incorrect subsequently, that itself could be considered as a ground for dismissal of the special leave petition.

13. We are conscious that complying with this direction could result in inconvenience for some; however, having noticed that orders dated 13th October, 2023 and 19th October, 2023 of this Court in SLP (Crl.) No. 12876 of 2023[3] and SLP (Crl.) No. 2863 of 2023[4], respectively, requiring steps to be initiated for eliciting proper and correct information from the individuals seeking orders of regular bail/pre-arrest bail have not produced the desired results, we have proceeded to make the aforesaid direction in the institutional interest so

[3] Kulwinder Singh v. State of Punjab
[4] Sheikh Bhola v. State of Bihar

that proceedings before this Court are not taken lightly by those who choose to approach it and the process of law is not abused.

14. Registry is directed to bring this order to the notice of all concerned, in such manner as deemed appropriate, for compliance till such time the rules are amended in terms of the orders dated 13th October, 2023 and 19th October, 2023, referred to above.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)